IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.279 OF 2007

Dhanraj Nathuram Aswani ...Petitioner.

Versus

State of Maharashtra
and Anr. ...Respondents.

....

Mr.S.V.Marwadi, Adv. for Petitioner.
Smt.V.R.Bhosale, APP, for State.

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CORAM : SMT.V.K.TAHILRAMANI,J.

DATED : 8th March, 2007.

P.C.:

1. Heard the learned Advocate for the petitioner and the learned APP for the State.

2. The petitioner has prayed that the show cause notice issued against him under section 56 of the Bombay Police Act be quashed. The said notice has been issued by ACP, Zone-III, Pune.

3. The learned Advocate for the petitioner has stated that no hearing was given to the petitioner and there is a list of allegations made by the

petitioner against the Police Officers of Zone-III, Pune hence he apprehends that he would not be given a fair hearing.

4. The learned APP, on instructions, states that there are three zones in Pune which deals with externment matters. He has stated that if the petitioner apprehends that he would not get a fair hearing before Zone-III, the case may be transferred to any of the other two Zones.

5. In view of the above statement, without going into the merits or the allegations, in the interest of justice, the externment proceedings relating to the petitioner are transferred to Zone-I, Pune. The concerned officer shall after hearing the petitioner and after considering the documents and evidence of witnesses, if any, examined by the petitioner may pass an order in accordance with law.

6. Writ Petition is disposed of.

(SMT.V.K.TAHILRAMANI,J.)